THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION No.3013 OF 2005

DATED: 22-03-2007

BETWEEN

K. Bangara Raju,
S/o. Veerabhadra Raju,
R/o. Samanthakurru,
Allavaram Mandal,
East Godavari District.

...PETITIONER

AND

Superintendent Engineer,
Assessment Circle,
A.P. Transco, Vijayawada,
Krishna District and two others.

...RESPONDENTS

ORDER:

Petitioner questions the action of the first respondent in passing the impugned order dated 04.02.2000 demanding a sum of Rs.2,11,344/- payable within thirty days, which is the amount calculated towards the pilferage of electricity in respect of service connection S.C.No.30015, Category-III, Samanthakurru Village, Allavaram Mandal, East Godavari District. Petitioner submits that the said order has been passed without giving any reasonable opportunity to him and therefore, he made a representation dated 31.12.2005.

2. This Court while issuing notice before admission on 18.02.2005 directed the respondents to restore the power supply to the petitioner, on payment of Rs.60,000/-. It is stated that the said amount of Rs.60,000/- has been paid. However, in the absence of filing any counter and in the absence of any acknowledgment in proof of paying the amount as well as filing the

aforesaid application dated 31.12.2005, I am not inclined to express any opinion on the merits of the case.

Having regard to the facts and circumstances of the case and as no counter is forthcoming, the writ petition is disposed of directing the petitioner to make a fresh representation before the first respondent enclosing the copy of the earlier representation/telegram within a period of two weeks from the date of receipt of a copy of this order and if any such representation is received, the first respondent shall consider and dispose the same in accordance with law.

There shall be no order as to costs.

_____

V. ESWARAIAH, J

March 22, 2007
DSK